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November 3, 2003

The Honorable Glenn Fine
Inspector General
U.S. Department of Justice
Office of the Inspector General
950 Pennsylvania Avenue, NW, Suite 4322
Washington, DC 20530-0001

Dear Mr. Inspector General:

We are writing to ask that the U.S. Department of Justice's Office of the Inspector General ("OIG") investigate the Department's conduct in delaying the release of and making redactions to a report by KPMG Consulting and Taylor Cox & Associates on diversity in the Department's attorney workforce.

We were extremely alarmed to learn that the Department of Justice had not only delayed release of this important report by more than one year, but opted to redact more than half of its pages, including the summary section. It is our understanding that the Department elected to redact such critical findings as "the department does face significant diversity issues" and "minorities are significantly more likely than whites to cite stereotyping, harassment, and racial tensions as characteristics of the work climate." In our view, it is outrageous that the very agency that is charged with rooting out discrimination would make it so difficult for the public to scrutinize its own civil rights record.

We understand that the Department has sought to justify the redactions as constituting "pre-decisional deliberative information" under the Freedom of Information Act. Given the lengthy delay in releasing the information, and the fact specific nature of so many of the findings, we are forced to wonder if the Department's purpose in withholding the information was simply to cover up its own poor record, rather than use it any pre-decisional or deliberative sense.

For these reasons, we would like the OIG to determine:

- 1) whether the redactions made to the report were required under the Freedom of Information Act;

The Honorable Glenn Fine

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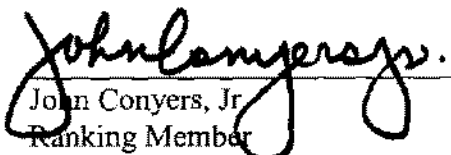
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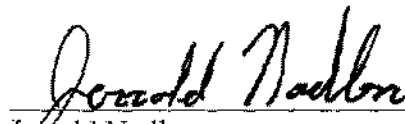
- 2) the rationale for delaying the public release of the report by sixteen months, and whether such delay was necessary or appropriate under the circumstances;
- 3) which officials at the Department were responsible for making the redactions and delaying the release, and the role that political appointees at the Department had in such determinations; and
- 4) the extent to which the Department has followed the recommendations made in the report.

Thank you for your time and attention to this request.

We would appreciate your findings by December 15, 2003. Please feel free to contact us through Perry Apelbaum of the Judiciary Committee staff, 2142 Rayburn House Office Building, Washington, DC 20515 (tel: (202) 225-6504; fax: (202) 225-4423).

Sincerely,


John Conyers, Jr.
Ranking Member
Committee on the Judiciary


Jerrold Nadler
Ranking Member
Subcommittee on the Constitution

cc The Honorable William E. Moschella
Assistant Attorney General
Office of Legislative Affairs

The Honorable F. James Sensenbrenner, Jr.
Chairman
U.S. House Committee on the Judiciary

The Honorable Steve Chabot
Chairman
U.S. House Subcommittee on the Constitution